GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:495
ANSWERED ON:22.11.2000
ORGAN TRADING
DINESH CHANDRA YADAV;RAM JEEVAN SINGH

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Government are aware that the organ trading practice continues in the country unchecked despite the Act banning it;

(b) if so, whether the Government have made any study to identify the discrepancies in the implementation of the Act banning the organ trading practice in the country;

(c) if so, the details thereof; and

(d) the measures taken/proposed by the Government in the matter?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI A. RAJA)

(a) No such information has come to the notice of the Government.

(b) Does not arise.

(c) Does not arise.

(d) The Government of India passed a Transplantation of Human Organs Act 1944, which came into force with effect from 4.2.1995.It provides for the regulation of removal, storage and transplantation of Human Organs for therapeutic purposes and for the prevention of commercial dealings in Human Organs and for matters connected therewith or incidental thereto. It also provides for stringent punishment for removal of Human Organs without authority which is punishable with imprisonment for a term which may extend to 5 years, and with fine which may extend to Rs.10,000/-. If a Registered Medical Practioner is convicted, his name can be removed from the Register of the respective State Medical Council for a period of 2 years for the first offence and permanently for subsequent offence. Except two States, viz., Mizoram and Bihar all other States have adopted the Transplantation of Humans Organs Act and such incident, if any therefore, may not occur in future.